The Southern PATRIOT

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Focus on First Amendment

A Challenge to Freedom

(By Staff Correspondent)

CHAPEL HILL, N.C.—Approximately 250 persons from 11 states gathered here recently for an all-day conference on Freedom and the First Amendment.

They met to consider the present state of civil liberties in America, the effects of denials of civil liberties on the civil rights movement in the South, and what the concerned citizen can do about it.

The conference, sponsored by SCEF, was held in the educational building of the Chapel Hill Presbyterian Church. The participants came mainly from about 30 communities in North Carolina, South Carolina, Virginia, Georgia, Alabama, and the District of Columbia, with a few representatives from several other states.

Age-range varied from the teens to the 80's, but young people predominated with 13 colleges represented by students and faculty. The group was about equally divided, white and Negro.

It was the first conference on this subject in recent years in the South. The program was mainly concerned with the inroads made against civil liberties by congressional and state legislative committees of the type of the House Un-American Activities Committee, but in lively discussion periods the considerations widened to cover infringements on the Bill of Rights by local and state officials in everyday life.

The Rev. Wyatt Tee Walker, executive director of the Southern Christian Leadership Conference, chairing the opening panel, set the keynote for the conference when he said:

"God grant that this conference serves its basic purpose to awaken the thinking American people to the realization that when the rights of one are threatened, the rights of none are safe. . . .

"It is my considered opinion that the House Un-American Activities Committee must be abolished or America will be abolished. Never has a committee of Congress been so appropriately named when we consider the activities of the committee itself . . . If we are going to save this nation, perhaps this world, both of which are desperately trying to survive, among the many medicines to heal our diseases is the restoration of the spirit and letter of the First Amendment . . ."

The first panel was devoted to factual history of the records of the House Un-American Activities Committee and its imitators in the Senate and state legislatures. **Frank Donner,** constitutional lawyer and author of the best-selling controversial book, *The Un-Americans,* spoke on the House committee.

Donner said the Committee places "both feet into the middle of the First Amendment" since it is authorized by Congress to investigate ideas and speech — thus becoming an organ of censorship and branding certain ideas as "subversive." He noted that it has attacked all degrees of liberalism as "communistic" but sees nothing un-American in racism. He declared:

"What this Committee has done for itself and for all the state investigating groups that have aped its techniques is to shape the strategy of modern repression through the seemingly harmless device of compulsory disclosure. Privacy and anonimity are essential to dissent.

"Thus, thousands might be willing to join movements for justice for Negroes if they knew that their livelihood would not be at stake by public identification."

(Continued on Page 3)

A Free Town

Much credit for the constructive nature of the conference covered here goes to the Chapel Hill Local Arrangements Committee, under the leadership of Mrs. Beth Okun.

Mention should also be made of the Chapel Hill community atmosphere, which made such a conference possible. As controversy has become taboo in many places, this town has maintained its long tradition of free speech and provides a setting where emotion-charged subjects can be discussed intelligently. It is a community of which the South and America should be proud.

What It Says

The First Amendment to the U.S. Constitution reads: "Congress shall make no law respecting the establishment of religion or its free exercise thereof, or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to petition the Government for a redress of grievances."

JUDGE HUBERT DELANY (right), main speaker at First Amendment conference, is introduced and welcomed back to his native North Carolina by Prof. Oscar K. Rice, Chapel Hill.

Key to Civil Rights

Civil liberties must be the forerunner to civil rights, Judge Hubert T. Delany told the SCEF conference in Chapel Hill.

Judge Delany, retired Domestic Relations judge of New York City and an NAACP vice-president, gave the evening address that climaxed the conference.

He defined civil liberties as rights embedded in the Constitution in the Bill of Rights, whereas civil rights are "the laws passed by the Legislature to implement them."

"And the same legislature that passes those laws today can unpass them tomorrow," he declared. "If you don't have your civil liberties—if you can't speak, if you don't have freedom of the press, if you don't have the right of assembly and petition—you can't advocate for civil rights.

"If we want to be Freedom Riders or sit-downers or sit-inners, we've got to have our Bill of Rights to protect us."

Judge Delany deplored the use of the communist label and said:

"A communist is anybody in the South who is for integration, particularly if you're white. A communist in the North is almost that too but in addition anybody who is liberal . . . Sooner or later the American people—and particularly our civil liberties and rights organizations — had better stop wasting all their time looking in every nook, cranny and corner and under every bed for communists. They'd better begin to fight the enemy right within their midst—men like Talmadge, like Eastland . . ."

In addition to the First Amendment, Judge Delany discussed other parts of the Bill of Rights—the prohibition of illegal search and seizure, of excessive bail, of cruel and unusual punishment, the right not to be compelled to give testimony against yourself — all of which he said were especially important to members of minority groups.

Civil Liberties Issue

This is a special issue of *The Patriot,* devoted in large part to civil liberties.

Approximately half of it covers a conference on Freedom and the First Amendment, sponsored by SCEF in Chapel Hill, N.C., this fall. This is more space than the *Patriot* ordinarily devotes to any one event, especially those sponsored by its publisher.

However, we occasionally break this rule when a topic of vital importance is not being adequately covered elsewhere. This is one of those occasions. The Chapel Hill conference dealt with a subject too little discussed in the South—the meaning of civil liberties.

SCEF called the conference because it feels that a civil libertarian atmosphere is absolutely essential for progress toward civil rights. It feels that such an atmosphere has been criminally stifled by the House Un American Activities Committee, Senator Eastland's investigating committee, and various state committees modeled after them, which have attached the subversive label to integration. The Chapel Hill conference sought to provide facts on these committees — and on our weapon for fighting them, the Bill of Rights.

It is impossible to cover the day-long discussions adequately here; they were meaty and thought-provoking. Therefore, we print here only brief excerpts. Full proceedings in a pamphlet form will be available from SCEF, 822 Perdido St., New Orleans 12, La. It is hoped that similar conferences can be held elsewhere in the South.

The rest of this issue is not unrelated to civil liberties either. One point made by the speakers at Chapel Hill was that freedom of speech and association must be constantly used in the cause of justice if they are to survive. The Rev. Maurice McCrackin tried to so use them in Haywood County, Tenn.; his story is on page 4.

—Photos by Bill Brinegoun

CIVIL LIBERTIES speakers at Chapel Hill included (top row) Frank Donner, Father Theodore Gibson, the Rev. Wyatt Tee Walker, David Wesley, Bishop Edgar A. Love, conference chairman; (second row) the Rev. William B. Abbot, David Forbes, Ella J. Baker, Sandra Hayden, Bob Zellner; (bottom row) the Rev. W. W. Finlator, Prof. Charles Lyons, Prof. LeMarquis DeJarmon; (upper inset) Dr. Waldo Beach; (lower inset) Clifford J. Durr, and Benjamin E. Smith.

The Southern Patriot

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News In Brief

North Carolina has its first interracial law firm. Theaoseus T. Clayton, Negro graduate of Johnson C. Smith University and North Carolina College at Durham, has joined the firm of James D. Gilliland, white lawyer in Warrenton. Gilliland said he got Clayton in his office because "he's a good lawyer."

Gilliland has never been afraid of controversy. He got into trouble with the State Bar in 1956 after he defended witnesses before the House Un-American Activities Committee. In the course of his own defense, he made a speech attacking school segregation in North Carolina.

* * *

In Atlanta, Ga., Emory University trustees voted to open the institution to students of all races as soon as a change in state laws makes it possible. Under present laws, a private integrated school would lose tax exemption, which Emory says it can't afford to lose.

* * *

In Poplarville, Miss., scene of the lynching of Mack Parker a few years ago, three CORE members, traveling from Mobile, were arrested as they tested facilities in the Greyhound terminal.

* * *

In Anniston, Ala., Federal court trial of seven men charged with burning the first Freedom Ride bus last May ended in a mistrial, as the jury could not agree. The Government attorney said another trial would be held.

* * *

In Kentucky, the State Commission on Human Rights has urged all restaurants, theaters and other public places in the state to open to Negroes. It backs up its request with figures showing that those businesses which have already integrated in the state have lost no business.

Tables Turned

WILMINGTON, Del. — The local NAACP found itself in an unusual situation when it was helping organize participants for the Route 40 Freedom Ride (scheduled for early November but later postponed when many of the target restaurants integrated).

So many white persons volunteered to take part that it appeared there might not be room for enough Negroes to keep all groups interracial. Sadly, the organizers had to turn many of the white volunteers down.

PTA Leader Protests

NEW ORLEANS, La.—A past president of the Louisiana P.T.A. has protested a recent threat by the state organization to deny membership to a unit in a newly desegregated school, which invited all parents to join.

Mrs. Paul A. Blanchard (an SCEF advisory committee member) said in a public statement: "The P.T.A. is not a closed society as are sororities. . . . It is, or could be, by its broad basis of membership, the greatest single demonstration of democracy at work in America. When it abdicates its function to promote the welfare of children and youth and becomes a pliant 'Ladies Aid' to a highly politicalized state school system, its usefulness is largely over."

Christmas: 1961

This year of equal sense however turned
Approaches end. We pause to celebrate
Another Christmas, phrasing joy of sorts;
Ourselves immersed and blurred.
Who runs the world
If those who do not run are kept confined?
What starry answer once there was is lost
Amid contaminating clouds.
Perhaps
It would be best to figure Christmas proof
That man can still draw shining tears from stone.

—Alfred Maund

Book Notes

A Definitive History of HUAC

THE UN-AMERICANS, by FRANK J. DONNER, Ballantine Books (an original paperback), 60c.

For those looking for "what to do" about civil liberties (see pages 1 and 3 of this issue), there could be no better action than the wide distribution of this paperback book.

It is the definitive work so far on the House Un-American Activities Committee.

Published several months ago, it has stirred a storm of controversy. Its potency is proved by the intensity of the attacks made on it by the House committee and its followers.

But although its critics have attacked and slandered Frank Donner, the author, and Ballantine Books, which had the courage to publish it, it is significant that no critic has been able to point to any real error in the facts the book presents. Responsible critics have commended the book, and it is selling; the first edition of 150,000 sold out and a second edition is in preparation.

The book is a documented history of HUAC from its beginning —its impetus from the anti-New Deal reactionaries of the 1930's, its racist connections, its growing power. Donner, a constitutional lawyer, has studied the records of hundreds of hearings and documents his contention that the Committee has no legislative function but is merely an "exposure" agency which brands and renders unemployable citizens with whom it disagrees.

It accomplishes this, Donner shows, not only through its hearings but through its voluminous cross-reference files which it makes available to many private agencies as well as state officials. It will shock many people, who didn't know before, to learn that the Committee keeps files on the perfectly legal activities of thousands of Americans.

This exposure process, of course, is not just for Communists but, as Donner says, is a "net so broad as to envelop millions of patriotic and devoted people because of their association with loyal, praiseworthy organizations and causes. . . . The files reflect the premise that liberalism is subversion. . . . The Committee is a firm believer in the theory that while a person may occasionally lapse into liberalism, a consistent and active liberal is subversive—even if he cannot be shown to be a Communist."

One weakness of the book, from the viewpoint of a Southerner, is that it does *not* cover, except in passing mention, the destruction wrought by this Committee in the South—as it has worked with segregationist state officials and made its files available to private segregationist agencies. Donner touched on this aspect somewhat at the Chapel Hill civil liberties conference covered in this issue. Perhaps it is the subject for a book of its own.

New School Suit

In Savannah, Ga., NAACP officials said a suit would soon be filed to desegregate that city's schools. Leading white liberals, as well as Negroes, have been urging the Savannah schools to integrate voluntarily (see November Patriot).

Students in Motion

University of Texas students and faculty at Austin are in revolt against dormitory segregation and athletics discrimination. There have been sit-ins in the dormitory lobbies; hundreds of students demonstrate in front of the University Tower chanting together the words printed there, "Ye shall know the truth and the truth shall make you free." A faculty meeting voted 308 to 34 for integration. . . . In **Nashville, Tenn.,** the Nashville Christian Leadership Council and the city's student movement have launched Operation Open City to open all downtown hotels, restaurants, etc., to Negroes and promote fair employment. Fourteen students, Negro and white, were arrested in a restaurant stand-in . . . In **Albany, Ga.,** over 500 Negro students from Albany State College turned out in protest at the trial of five students arrested for attempting use of Trailways interstate facilities. The Student Nonviolent Coordinating Committee was supporting the action. . . . In **Durham, N.C.,** over 100 NAACP youth marched on City Hall to present a petition for a citywide integration plan, including fair employment, desegregation of all city-owned facilities, and a change in the School Board. . . .

From Our Editor-in-Jail

A Message for the Christmas Season

The *Patriot's* editor-in-jail, Carl Braden, serving a year's sentence for challenging the House Un-American Activities Committee, has sent the following Christmas message to *Patriot* readers.

"Since I will be unable this year to send Christmas greetings personally, I am using this means to communicate with my many friends who are *Patriot* readers.

"This is the season of faith in man and beginning anew. While it is clouded this year by the threat of war, there is much reason to take heart and to believe that man will yet find a way to live at peace with himself and with his fellowman.

"As I have watched the outside world during these months in prison, I have been greatly encouraged by the upsurge of activity for integration in the South and for a more democratic society everywhere. Sparked by the Southern students, this activity is having repercussions throughout our country.

"Much has happened since Frank Wilkinson and I entered prison last May 1; perhaps we who watch from a distance see this more clearly than you who are living it every day: the Freedom Rides have changed the pattern of Southern transportation forever; young people are on the move in Mississippi; school segregation has cracked in the Deep South; voter registration drives are growing; our friends in Birmingham, after long struggle and many jail cells, have won sweeping orders against segregation there; everywhere, and especially on the nation's college campuses, people are calling for an end to the Un-American Activities Committee and a return to a civil libertarian atmosphere.

"Naturally, I have often wished that I could be on the outside, taking part in all these things. But these months that I have been in prison have been a time when jail has become a routine thing in our movement; I am only one of many who have been called on to make their contribution from behind bars. Hundreds of freedom fighters have been in jail in Mississippi in these months; many of my friends have been jailed in Alabama; Maurice McCrackin is now in jail in West Tennessee.

"Someone has said that man's path to progress down through the centuries has been through a succession of jail cells, and for many of us there must be faith that "they also serve" who only sit in jail.

"I am grateful for all the efforts that have been made in our behalf—for the petitions and protests asking for release of Frank Wilkinson and me. I hope that these efforts have not detracted or taken too much valuable time away from other aspects of the struggle.

"In any event, we will be out soon and will look forward to seeing all of you again."

Petitions Presented

A delegation of national leaders, headed by Clarence Pickett, director emeritus of the American Friends Service Committee, visited the White House and the Justice Department in November to ask that President Kennedy free Carl Braden and Frank Wilkinson by executive clemency.

They presented petitions signed by over 3,000 leaders from 48 states. The petitions urge presidential action in the cases as a testimony to America's faith in the Bill of Rights. Signers included over 300 clergymen, scores of religious leaders, 500 university professors, over 100 nationally famous writers and editors.

In addition to Pickett, the delegation included Dr. Howard Schomer, president of Chicago Theological Seminary; Dr. John Mackay, president-emeritus of Princeton Theological Seminary; Dr. E. B. Henderson, past president of the Virginia NAACP; Dr. C. Herbert Marshall of Washington, D.C.; William Kuntsler, New York civil liberties attorney who has represented many of the Freedom Riders; Bishop Edgar A. Love, Baltimore; A. Burns Chalmers, Washington; the Rev. Walter Russell Bowie, New York; James Imbrie, New Jersey; John O. Crane, New York; Byron Allen, Washington. Coordinator of the Petition and the delegation was Mrs. Sylvia Crane, New York.

Conference Studies Freedom

(Continued from Page 1)

Ben Smith, former assistant district attorney of New Orleans, discussed Senator James Eastland's Senate Internal Security Subcommittee which he said was "another committee in the HUAC tradition" which has "descended from the dignity of true legislative inquiry to the status of the roving grand jury and itinerant police court."

Smith also told of the Louisiana Committee on Un-American Activities, which like other Southern committees has attacked integration and academic freedom. "The Southern legislative committee in its equation of integration with communism," he said, "bodes well to expose to the nation the fundamental unity between freedom and the First Amendment."

Other Southern state investigating committees were discussed by the **Rev. Theodore Gibson**, Episcopal minister who is president of the Miami NAACP. Father Gibson himself faces a jail term, now on appeal to the U.S. Supreme Court, for refusing to let the Florida investigating committee check NAACP membership lists under the "guise" of looking for "communist-infiltration."

Father Gibson listed committees or sovereignty commissions in almost every Southern state which he said "duplicate the House Un-American Activities Committee on the state level," and added:

"Whether it's called a Sovereignty or an Un-American Activities Committee makes no difference. They operate the same, and brethren, they attempt to get the same results; they were organized to put the brakes on integration."

David Wesley, editor of the editorial page of the York, Pa., *Gazette & Daily*, who has made a study of connections between the House Committee and the organized groups which spread hatred against minority groups (hate groups, he calls them), spoke on this subject.

He documented the fact that the Committee was organized and has been chaired throughout its history by men who can be classified accurately as "bigots" and were either members of the Ku Klux Klan or favorable to it.

He noted that the First Amendment also protects the right of any citizen to belong to the Ku Klux Klan and—as a private citizen—to spread hate if he wants to. This is "organized bigotry," and is not really dangerous in America since the majority of the people will reject it if reason is left free in the marketplace.

It is when bigotry becomes "institutionalized"—that is, gets the power of governmental agencies behind it—that it becomes dangerous, he declared, because then it has the force to intimidate and silence its opponents. That, he said, is what has happened by the alliance between the House Committee and hate groups.

—Photo by Wyatt Lee Walker

QUESTIONS FROM THE FLOOR highlighted lively discussion groups at Chapel Hill conference.

Weapons Against Fear

The second panel of the conference dealt with the weapons to combat the dangers from investigating committees; the weapons discussed were the American traditions of freedom, most specifically the First Amendment.

Dr. Waldo Beach, professor of Christian Ethics at Duke University Divinity School, chairing the panel, posed the problem facing a society that aspires to freedom: are the liberties of free speech absolute or must they be restricted at some points in the interest of preserving society? Speaking theologically, he said it became a problem of maintaining the "precarious equilibrium between freedom and order"—between "individuality and cohesion."

The panelists veered almost unanimously toward an absolute interpretation of free speech, but the problems it raises were not dismissed lightly, and in the dialogue between speakers and audience, the dangers of freedom—and of limitation of it—were fully explored. (See quotation by David Wesley, this page.)

Clifford J. Durr, attorney of Montgomery, Ala., drew background from the Salem witch trials and an unusual interpretation of the story of Adam and Eve and said:

"Our government is based on confidence in people, in their innate intelligence and decency, upon a belief in their ability to shape out of a good destiny for themselves between the hammer and anvil of conflicting ideas, provided they are given full freedom to know and to discuss . . . to associate and exchange their views with one another, and to protest when occasion arises. This was the gamble which the founders of our government made with destiny. It was not the gamble of timid men. It will not be won by timid men. . . ."

LeMarquis DeJarmon, associate professor of law, North Carolina College, at Durham, outlined recent Supreme Court decisions in which a five-judge majority has ruled that free speech rights of the individual must be "balanced" against the demands of national security. It is under this "balancing" doctrine that investigations by HUAC have been held constitutional.

He then explained the view of the four minority justices, who believe that such balancing away of individual rights is in itself a threat to national security since it breeds conformity, spreads intimidation and weakens democracy at it heart.

"Once you start drawing the line on ideas, you've got to keep going," he said. "At this time, it may be the communists. Tomorrow it may be somebody else. I think anyone should be free to advocate as long as no illegal act is involved; I think the Ku Klux Klan can advocate all it wants, but the moment it starts buying rope. . . ."

The final panel speaker, **Mrs Anne Braden**, SCEF field secretary, said HUAC and its counterparts had hampered the integration movement by "institutionalizing" the segregationist charge that there is something subversive about integration and by limiting First Amendment rights which she called "the weapons of peaceful social change."

"You don't really have the right to speak and print and assemble and petition if in doing so you must fear a subpoena that can wreck your life," she said.

She suggested that the remedy lies in education of the public—in conveying to more people the facts about legislative inquisitions and in communicating to them a faith and pride in America's tradition of freedom and a confidence that one can oppose the committees and "survive."

How the individual can help do this was the subject of the final panel. See separate story on this page.

'The Most Secure Society'

The thorny problem of any discussion of civil liberties is: doesn't any society have a responsibility to perpetuate its own principles, and does it not risk its survival if freedom is not limited?

The question was raised several times during the Chapel Hill conference. A ringing and to many conclusive answer was given by one of the panelists, David Wesley, who said:

"The answer is a very simple yes. A free society is a risk society by its very nature. It risks survival every single minute because it allows complete freedom of ideas and thoughts and beliefs, and these thoughts and beliefs may be revolutionary ones, and they may develop and eventually overthrow the particular form of society that exists at that time.

"And there's nothing the least bit confused about any of the great Americans on this point. They've all stated this quite clearly—not only Jefferson and Madison and others of that time but our other greatest American, Abraham Lincoln. The people have the revolutionary right to overthrow the government. Therefore it is the very nature of a free society to risk its own survival.

"The point that a believer in freedom makes is that the *most secure society in the world actually* is exactly the society that risks its existence every minute of every day in that way."

—Photo by Bill Brinkhous

EARNEST DISCUSSION continued over lunch, as representatives from 11 Southern states met at Chapel Hill to consider civil liberties.

Lab Test

Those attending the Chapel Hill conference had an unexpected on-the-spot opportunity to test their theories.

Toward the close of the afternoon session, a local conservative, who had attacked the conference as "communist" inspired in the press, rose to express his views. Several people in the audience became upset and tried to shout him down. The chairman tried valiantly to restore order but in vain and the frustrated speaker left in disgust.

The predominantly liberal audience, however, quickly recovered. It voted almost immediately and unanimously — with much applause — to invite the gentleman back to have his say. A local newspaper covering the event called it an important "lab test of that sacred liberty — freedom of speech."

Action Proposals

The conference action panel was led by Miss Ella Baker, YWCA consultant; the Rev. William B. Abbot, Norfolk, Va., minister; David Forbes, Shaw University student council president; Mrs. Sandra Hayden, student leader; and Bob Zellner, field worker of the Student Nonviolent Coordinating Committee.

From these leaders and from the floor came these suggestions as to what the individual can do to help preserve the First Amendment and rid America of the investigating committees that violate it:

- Education of the public through lectures, discussions groups, distribution of pamphlets, demonstrations when the House Committee or state committees hold hearings. Organization in other communities of conferences similar to the Chapel Hill one.
- Letters to newspaper editors, and visits to them for discussion of issue. Delegations to congressmen and state officials, open letters.
- Making use of ballot; acting to break disfranchisement of Negro in South. Daily use of free speech and civil liberties to protest segregation pattern in South.
- Going to church leadership and insisting that controversial issues be freely aired there. Support of ministers and church governing bodies which *do* speak on controversial matters. As Mr. Abbot said: "There is nothing that gives a man courage more than the knowledge that just one person is behind his right to speak."
- Running of candidates for public office who are openly committed to integration and civil liberties as an educational device even where there is virtually no chance of election.
- And as Miss Ella Baker said: "Let all of us who are particularly concerned with *civil rights* recognize that civil rights and *civil liberties* are inseparable and that until we do recognize this, we may be heading up a blind alley."

Quotations from the Floor

An alert audience provided lively dialogue during discussion periods at the First Amendment conference. Here are a few nuggets from the floor:

"Now, I ask you, could this have come about (growing power of the Un-American Activities Committee) had there been a responsible public? Could hatred have been spread had there been a public that was unwilling to receive this deceit. . . . Is our problem the Un-American Activities Committee, or is it ourselves . . .?"—**Unidentified speaker.**

"Someone raised the question as to what would happen to our security if the Committee was abolished. I'd like to raise a second question: what happened to it before we got the Committee? . . . It is difficult for me to understand what some of these people mean by dangerous and Un-American ideas. Wouldn't the ideas of the early Christians in Rome be considered un-Roman? . . . There's a difference between the expression of ideas and the perpetration of subversive acts. . . ."—**Prof. Charles Lyons, Elizabeth City, N.C.**

"The Supreme Court rulings concerning the First Amendment are broader than just a congressional committee. In our Southern states, when we try to use our First Amendments rights to speak, we may be arrested under some local statute. It gets right down to having something to say in your own local church or your own community. . . . It's the same issue involved whether it's the subpoena power of a committee or the police power of the state. . . ."—**Attorney James Walker, Weldon, N.C.**

West Tennessee Report

'Outsiders' Are Under Attack

(By Special Correspondent)

BROWNSVILLE, Tenn. — In late October, the Rev. Maurice McCrackin, of Cincinnati, came to Brownsville, which is the county seat of Haywood County, Tenn.

He came representing Operation Freedom, the Cincinnati-based organization formed last year to make loans and render other assistance to Negro farmers of Haywood and Fayette Counties who have been denied credit or forced off the land because they registered to vote.

Now that the 1961 crop was about in, new eviction orders had been issued in West Tennessee: it was reported that at least 60 Negro families had received them in Haywood, about 200 in Fayette. Mr. McCrackin's mission was to ascertain for Operation Freedom what the need would be this year.

For several days he toured the counties, visiting farmers, with Negro leaders from the two counties. On October 29, he was approached by the sheriff of Haywood County as he sat in his parked car and taken to jail for "investigation."

At first, he was held on vagrancy charges. Later this was changed to "loitering." He was tried and convicted and given a $50 fine. This he refused to pay and was sent to the Haywood County Workhouse to serve out the $50, plus court costs.

Mr. McCrackin, who is a pacifist, refused to cooperate in the court proceedings against him. He refused to plead either guilty or not guilty and would say only: "I am pleading for justice and love for all of God's children — in Africa, in Asia, in Cincinnati, in Brownsville, everywhere."

The Rev. Maurice McCrackin

Continuing his protest in jail, he fasted for 25 days. As the Patriot went to press, he was due for release December 9.

Meantime, other representatives from Operation Freedom came to Brownsville to support him and continue his work. The Rev. Richard Hudson, Disciples of Christ minister from Cincinnati, was stopped by police and questioned an hour.

David Henry, of Pennsylvania, was stopped by police and told not to visit any Negroes. When he did so anyway, he was arrested for speeding; refusing to pay his fine, he was jailed, held incommunicado and beaten in jail by unidentified man placed with him in a cell.

The Rev. Ernest Bromley, attempting to visit Henry in jail, was knocked down and out the door by an official.

Mrs. Virgie Hortenstine, Cincinati Quaker, and a white minister from Memphis, visited Brownsville and were stopped for alleged "speeding."

"Our experiences," Mrs. Hortenstine said, "have taught us the kind of law the Negro in West Tennessee lives under all the time. We can get away from it; we can leave; they can't."

It is evident that officials in Haywood County will do everything in their power to keep what they call "outsiders" out. But it is outsiders who are the life-line of the movement for justice in West Tennessee.

Despite persecution, the movement has made almost spectacular progress. In Fayette County, where a few years ago there were no registered Negroes, there are today 2800. In Haywood, the number is smaller because of slow-down tactics by registrars, but at least 2,000 have registered.

From his jail cell in Haywood County, Mr. McCrackin wrote the following impassioned plea for continued support from the "outside" for those who risk their lives to vote in West Tennessee.

Write and Give

SCEF wired Attorney General Kennedy asking for a federal investigation of the violation of the Rev. Maurice McCrackin's civil rights in Haywood County. Individuals are asked to make similar requests and to urge that the Justice Department provide protection both to the Negroes in Haywood and Fayette and to those from the outside who go in to help them. If you can support Operation Freedom with a gift or a loan, send it to Operation Freedom, 1111 Dayton St., Cincinnati, Ohio.

More Bars Down

In Macon, Ga., lunch counters were integrated, following the lead of Atlanta. The public golf course and the library in Macon have also been integrated recently; there have been no incidents.

Review of the Month

The U. S. Commission on Civil Rights in its fifth major report of the year—on the administration of justice—produced extensive documentation of police brutality and official connivance in individual violence against Negroes and made several recommendations for congressional action to remedy the situation.

In a major victory for the student movement, a Federal court ordered removal of segregation signs at the McComb, Miss., bus station, and city officials announced they would comply. But CORE testing teams from New Orleans met violence when they arrived in McComb. City officials moved to provide police protection and uphold law and order but also obtained an injunction against more "Freedom Rides."

Meantime, a major Freedom Ride push on U.S. Route 40 in Maryland was called off with a sizeable number of restaurants along the major highway agreeing to integrate. Instead a mass sit-in campaign started in Baltimore and other Maryland points, resulted in a number of arrests.

On the school front, a court ruling in an unrelated case in Virginia, holding that the state must provide public education, gave hope that Prince Edward County might soon be ordered to re-open its schools. And in Texas, Ft. Worth was ordered to begin desegregation next fall.

Also in Texas, there was an important victory for liberalism, as State Sen. Henry Gonzalez was elected to Congress. Gonzalez, a militant liberal, becomes the first Texan of Mexican ancestry to be elected to Congress.

And formation of a new interstate agency of Southern law enforcement agencies to keep tab on "subversion" gave rise to fears of new witch hunts against liberals in the South.

McCrackin Writes from Jail

By MAURICE McCRACKIN

When I decided to come to Brownsville I was sure something like this might happen, as in other instances the sheriff or one of his deputies have stopped "strangers within the gates" and told them to leave and not come back. In the case of Carl Braden he was ordered, if he came back, to first see the sheriff.

But it will be tragic if all the suffering and sacrifice by the people here goes down the drain.

In the effort to keep the sharecroppers on the land in these two counties, it isn't a case of wanting to perpetuate the present intolerable living conditions of the sharecropper, but to see that he is not deprived even of this. To stay on the land means that they will stay in the counties which is primary to the present struggle for equal voting rights.

In Haywood County one landlord owning 2,000 acres evicted six families last year and plans to evict the others, about the same number, this fall and will cultivate the whole 2,000 acres with machinery and only white operators. . . . .

I am sure it is going to be said by those who wish I had stayed home, "Why get so worked up over what is happening to these people? This is going on all over the South."

This is true, but there are factors in this situation which don't apply where so much mechanization has taken place in the South. These wholesale evictions rise out of an effort on the part of Negroes to exercise a freedom they have not had in these two counties for the last 100 years.

In 1939, the sheriff of Haywood County arrested a Negro who was active in an effort to start a registration movement and took him out to the country and turned him over to a mob. . . . They killed him and his body was dragged through town tied to the back of a car.

This was so profound a weapon of terrorism and intimidation that for years among Negroes if anyone would even mention the word registration or voting, any within earshot would disappear. Those who pioneered in the formation of the present voter leagues in the two counties knew that it was altogether possible that some of them might be killed.

The act of registration was not only that, but was a declaration of human worth and dignity of which registration and voting was a symbol.

I believe that what is happening in Fayette and Haywood in their struggle for voting rights is as critical in this area of human rights as was the non-violent movement in Montgomery against bus segregation. Failure there would have been a serious setback in the surge toward achievement of equal rights . . . as a failure of Fayette and Haywood Counties would be in the movement toward securing equality in voting rights. . . .

I see two compelling reasons why a massive support should be given to these heroic people; first and most compelling, because theirs has been an act of faith, faith in the rightness of their cause and faith that their struggle will be undergirded by others who share their convictions. That they should be sold short on this conviction would be an unthinkable tragedy.

The other compelling reason for unlimited support is to see that this key struggle to secure voting rights in the South does not fail.

Williams Named Emeritus

CHAPEL HILL, N.C.—Aubrey W. Williams, long-time president of SCEF, was named president-emeritus by the board of directors, holding its semi-annual meeting here. He had asked to be relieved of active duty because of ill health.

The board sent a message to Williams expressing "our deep affections, our sincere wishes for his speedy recovery and our appreciation for his long years of invaluable contribution to the cause of justice and freedom."

One of SCEF's vice-presidents, Bishop Edgar A. Love, was named acting president to serve until regular bi-annual elections in the spring.

In other actions, the board commended representatives of the Student Nonviolent Coordinating Committee and local Negro students in McComb, Miss., who it said are "defying segregation and discrimination in their Mississippi stronghold," and called on the U.S. Justice Department to protect the lives of those working for civil rights in Mississippi; condemned the actions of the Virginia legislative committee which is attacking integrationist organizations and lawyers there (see November Patriot).

The board also commended the Freedom Riders "whose sacrifices have made history in the South," congratulated the U.S. Commission on Civil Rights on its recent reports and called on the President and Congress to implement the Commission's recommendations; and sent greetings to its field secretary, Carl Braden, and to Frank Wilkinson, jailed with him, and called on President Kennedy to free them both before the 170th anniversary of the adoption of the Bill of Rights on December 15.

Unsung Heroes

Top places on the Southern honor roll this month go to 12 teen-age Negro students and a representative of the Student Nonviolent Coordinating Committee, Robert Moses, in the McComb, Miss., jail. Almost unnoticed by the daily press, these unsung heroes have been in jail since October 31, sentenced to from four to six months in prison on "breach of peace" charges.

They were among more than 100 McComb high school students arrested October 4 in a peaceful demonstration protesting the expulsion of a fellow student who had participated in a sit-in. The others were minors and were paroled to parents. Those over 18 went to jail. All of them are outstanding leaders, representatives of the new generation that is rising in the South. These young people are pioneers of a new day in Mississippi; the nation is in their debt.

A 1961 Political Lesson

LOUISVILLE, Ky.—Politicians can no longer afford to ignore the pro-integration sentiment in this community. That's the lesson of this year's municipal elections, when the Democrats were swept out of office after 28 years in City Hall.

There were a number of issues in the campaign, but political observers agreed that a key to the Republican victory was the Democratic Administration's failure to take an aggressively liberal position during sit-ins last year. The Democratic candidate for mayor had been a leading opponent of a proposed anti-discrimination ordinance.

Newspapers quoted a Democrat as saying: "We lost the Catholic vote, the Negro vote and the Jewish vote out of sympathy with the Negro. We lost the three minority groups on which we have depended so much."

Elected to the Legislature was Mrs. Amelia Tucker, who thus becomes the first Negro woman to serve in Kentucky's Legislature. She is the wife of Bishop C. Ewbank Tucker, an SCEF board member. Two Negroes were elected to the Board of Aldermen; there has never been more than one before.

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